

FILED VIA EFS

IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE

-- PATENT --

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| Applicant(s): | Kishore Tipirneni | Docket No. | 48617.0136 |
| Serial No.: | 10/766,232 | Group Art Unit: | 2625 |
| Filing Date: | January 28, 2004 | Confirmation No.: | 2933 |
| Title: | SYSTEMS AND METHODS FOR REMOTE VIEWING OF PATIENT IMAGES | Examiner: | Jerome Grant II |

PETITION UNDER 37 C.F.R. 1.28

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Honorable Commissioner:

Under 37 C.F.R. 1.28, Stryker Corporation ("Stryker"), the owner by assignment of U.S. Utility Patent Application No. 10/766,232, hereby pays the below-noted fees representing the difference between certain fees paid at a small entity rate and a corresponding large entity rate. Please update Stryker's entity status to "large entity" in the U.S. Patent and Trademark Office records.

BACKGROUND

At no time has there been deceptive intent with respect to Stryker's claims of small entity status. On February 18, 2005, Stryker entered into an Agreement and Plan of Merger with the prior owner of this application and henceforth became the owner of U.S. Utility Patent Application No. 10/766,232. The issue fee was inadvertently paid at the small entity rate instead of the large entity rate. Accordingly, Stryker hereby submits the following fees:

FEES PAID

The fees which appear to be at issue are those paid after the effective date of the Agreement and Plan of Merger, namely, those paid between February 18, 2005 to present. Those fees are detailed below and include Issue/Publication Fees paid October 26, 2006:

| <u>Fee Type</u> | <u>Amount Actually Paid</u> | <u>Large Entity Fee</u> | <u>Difference</u> |
|------------------------|-----------------------------|-------------------------|-------------------|
| Issue/Publication Fees | \$1000 | \$1700 | \$700 |
| | | TOTAL | \$700 |

We hereby authorize The Commissioner to charge \$700.00 to Deposit Account 19-2814, and/or any **deficiency** in the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under 37 C.F.R. §§1.16-1.18 (**deficiency** only) now or hereafter relative to this Application and the resulting Official document under 37 C.F.R. §1.20, or credit any overpayment to Account No. 19-2814.

Respectfully submitted,

Date: November 22, 2006

By: 

Howard I. Sobelman
Reg. No. 39,038

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